



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4856

Introduced 01/19/06, by Rep. Harry Osterman

SYNOPSIS AS INTRODUCED:

35 ILCS 5/216 new

Amends the Illinois Income Tax Act. Creates a credit of up to \$1,000 for the costs incurred by the taxpayer during the taxable year in order to make a property that was constructed before 1978 and that is owned by the taxpayer comply with applicable State and federal lead-safety standards. Provides that the credit may be carried forward for up to 5 years. Effective immediately.

LRB094 17018 BDD 52299 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning revenue.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Income Tax Act is amended by adding
5 Section 216 as follows:

6 (35 ILCS 5/216 new)

7 Sec. 216. Credit for lead-abatement costs.

8 (a) For taxable years ending on or after December 31, 2006
9 and ending on or before December 30, 2011, each taxpayer is
10 eligible to receive a credit against the tax imposed under
11 subsections (a) and (b) of Section 201 in an amount equal to
12 the qualified lead-abatement costs incurred by the taxpayer
13 during the taxable year, but not to exceed \$1,000.

14 (b) For the purpose of this Section, "qualified
15 lead-abatement costs" means those costs incurred by the
16 taxpayer during the taxable year in order to make a property
17 that was constructed before 1978 and that is owned by the
18 taxpayer comply with applicable State and federal lead-safety
19 standards.

20 (c) If the taxpayer is a partnership or Subchapter S
21 corporation, the credit is allowed to the partners or
22 shareholders in accordance with the determination of income and
23 distributive share of income under Sections 702 and 704 and
24 Subchapter S of the Internal Revenue Code.

25 (d) The credit may not be carried back. If the amount of
26 the credit exceeds the tax liability for the year, the excess
27 may be carried forward and applied to the tax liability of the
28 5 taxable years following the excess credit year. The tax
29 credit shall be applied to the earliest year for which there is
30 a tax liability. If there are credits for more than one year
31 that are available to offset a liability, the earlier credit
32 shall be applied first.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.